



# City of Annapolis

Department of Planning & Zoning

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## Historic Preservation Commission

May 12, 2015

The Historic Preservation Commission (HPC) of the City of Annapolis held its regularly scheduled public meeting on May 12, 2015 in the City Council Chambers. **Chair** Kennedy called the meeting to order at 7:30pm.

**Commissioners Present:** **Chair** Kennedy, **Vice Chair** Leahy, Finch, Kabriel, Phillips, Zeno, Toews

**Staff Present:** Theimer-Brown

**Chair** Kennedy introduced the commissioners and staff. She stated the Commission's purpose pursuant to the authority of the land use articles and administered the oath en mass to all persons intending to testify at the hearing.

### C. APPROVAL OF MINUTES

Ms. Zeno moved to approve the February 10, 2015 and February 26, 2015 as written. Mr. Kabriel seconded the motion. The motion passed unanimously in a vote of 7-0.

### C. ANNOUNCEMENTS

**Chair** Kennedy introduced Ms. Jacalyn Bierman, Boards and Commission Coordinator, who works in the Mayor's office and visiting the HPC to observe the meeting.

### D. VIOLATIONS

There were none.

### E. CONSENT DOCKET

**3. 176 Main Street** – Athina Kohilas – Install storefront awning with signage. (**Approved as conditioned in the staff report.**)

**4. 21 Southgate Avenue** – Heike Nolker Landscape Architect – Replace concrete steps with brick steps, relocate brick side steps, install new picket fence and landscaping. (**Approved as conditioned in the staff report.**)

**Vice Chair** Leahy moved to approve the applications for 176 Main Street and 21 Southgate Avenue as conditioned in the staff report on the consent docket. Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 7-0.

### F. NEW BUSINESS

**1. 15 Maryland Avenue** – D. Miles Barnard/South Fork Studio Landscape Architect – Install masonry water feature, brick screen wall, gravel pathway and landscaping in rear yard.

Mr. Barnard described the design proposal to develop a small garden in the rear yard of the property. The footprint of the garden currently exists but would like to add brick paving and brick wall to screen out air conditioning units as well as add a water feature. Mr. Pilli explained that the rear wall was dug to ensure minimal impact to the significant tree. Mr. Barnard added that the approach has been to preserve the tree so proposes to use air spade to excavate to ensure preservation. Mr. Gren added that

the tree is an important part of the house so will suspend the water feature if necessary to ensure its safety.

**Staff:** Ms. Theimer-Brown restated the written staff report and recommend conditional approval as noted in the staff report dated May 5, 2015.

**Public:** Public testimony opened at 7:55pm and no one from the public spoke in favor or opposition to the application so **Chair** Kennedy declared the public testimony closed at 7:55pm.

**Commissioners:** The HPC asked the applicant if he agrees with all of the conditions identified in the staff report except for the water feature that will be handled separately and Mr. Barnard agreed. The HPC deliberated on the water feature relative to whether it poses a threat to the trees. **Vice Chair** Leahy suggested that the HPC defer approval until either air spade research has been completed to determine if there will be impacts or approve the project with air spade monitoring. He prefers the latter. Ms. Finch suggested conditioning the approval based on an assessment by an independent arborist in conjunction with the City arborist and monitoring during the air spade excavation. Ms. Phillips believes that the water feature complies with guideline C.1 so is comfortable approving it.

The following Commissioners made a site visit on this application.

Name
Phillips, Finch, Kabriel, Zeno, Leahy

**Chair** Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	HPC Application undated
B	Staff Report dated May 5, 2015

**Vice Chair** Leahy noted that whereas the application for 15 Maryland Avenue as amended regarding plant materials selection complies with HPC guidelines B.1, C.1, C.6, C.9 and C.11, moved approval of the application subject to archeological oversight; assessment by a certified arborist and the findings are presented to staff for review and approval; and initial air spade excavation being used is subject to City arborist monitoring. Ms. Phillips seconded the motion. The motion passed unanimously in a vote of 7-0.

## **2. 5 St. Mary's Street** – Purple Cherry Architects – New Construction

Ms. Purple Cherry explained that this is an application for demolition of the existing structure and construction of a new residence. The applicant has received the HPC comments and believes that they have all have been addressed.

The HPC believes that there is insufficient detail for the rear solarium so asked the applicant if they agreed to remove all references to the solarium at this time and Ms. Cherry agreed to remove this part of the application.

**Staff:** Ms. Theimer-Brown restated the written staff report and recommended conditional approval as noted in the staff report dated May 9, 2015.

**Public:** Public testimony opened at 8:23pm and no one from the public spoke in favor or opposition to the application so **Chair** Kennedy declared the public hearing closed at 8:23pm.

**Commissioners:** The HPC deliberated on the demolition guideline and found that the proposal has met the demolition guideline. There was discussion regarding the true divided light and the applicant representative agreed to discuss with the applicant that true divided light windows be located around the house.

The following Commissioners made a site visit on this application.

Name
Kennedy, Zeno, Finch, Phillips, Leahy, Toews, Kabriel

**Chair** Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
<b>A</b>	HPC Application undated
<b>B</b>	Staff Report dated 5/9/15
<b>C</b>	Dowling comments

**Vice Chair** Leahy noted that whereas the application for 5 St. Mary's Street as amended to remove the rear solarium, complies with HPC guidelines B.1-B.5, B.7, B.8, B.10-B.12, C.1, C.4, C.11, D.1 (SOI #8, #9, #10), D.2, D.10b, D.14, D.15, D.19, D.20, D.24, D.28c, and E.1, moved approval as conditioned that the applicant address the architects three recommendations; address staff recommendation for design change for second story porch railing; provide lighting hardware and brick selection for staff approval; provide for staff approval for ADL windows as recommended or SDL if appropriate; continue working with City arborist on final selection of native trees or trees for replacement trees; replace flagstone with brick on front landing and steps; and consult with HPC consulting archaeologist during construction. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 7-0.

### **ADMINISTRATIVE**

#### **3 Revell Street Minority Report**

**Vice Chair** Leahy moved to adopt the minority report for 3 Revell Street. Ms. Finch seconded the motion. The motion passed unanimously in a vote of 7-0.

#### **3 Revell Street Majority Report**

**Vice Chair** Leahy moved to adopt the majority report for 3 Revell Street. Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 7-0.

## **H. PRE APPLICATION**

**Chair** Kennedy reminded those present that this is an informal discussion held as a courtesy to the applicants to determine feasibility as well as to address any other issues of concern that may arise at the hearing. This review does not constitute an approval and nothing discussed in this session will be binding on the commissioners or applicants.

- 1. City of Annapolis** – Department of Neighborhood & Environmental Programs – Jan van Zutphen – Removal of trees located in front of 124 Charles Street & 188 Duke of Gloucester Street.

Mr. van Zutphen explained that there were two administrative applications for tree removal submitted for approval and Ms. Craig suggested that the pre application for both be conducted together.

#### **188 Duke of Gloucester Street**

He discussed the application for 188 Duke of Gloucester Street indicating that the key issue with the tree is that the base of the tree has significant decay and is hollow. The tree presents a safety hazard and would like to remove the tree which is about 50 years old. He would like administrative approval to remove the trees so that he can use FY15 funds if the approval is received prior to the new fiscal year.

#### **124 Charles Street**

Mr. van Zutphen discussed application for tree removal at 124 Charles Street indicating that the base of the tree, the trunk as well as the root system is decaying and is also hollow. He recommended that the tree be removed and that there not be any additional testing because the condition of the tree is evident.

**Chair** Kennedy **summarized** that this is two applications for tree removals on Duke of Gloucester Street and Charles Street. A majority of the Commissioners present welcome a full application on both

of the applications. The HPC requested that the full application include tree species; the context of other existing trees, their species, sizes, and location within a half block area of each of the removal locations; that there be some sort of discussion about large canopy vs. small canopy in this context in order to determine whether one for one is appropriate or if there is some other mitigating factors; and the applicant should expect a full public hearing because this is the removal of large significant features in the landscape and the HPC would like the public to have opportunity for input on the application.

**ADJOURNMENT**

With there being no further business, Mr. Kabriel moved to adjourn the meeting at 9:26pm. Ms. Phillips seconded the motion. The motion passed unanimously in a vote of 7-0.

**The next meeting is scheduled for May 28, 2015 at the City Council Chambers.**

Tami Hook, Recorder